

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shibin ZHOU *et al.*

Serial No.: 09/776,696

Filed: February 6, 2001

For: HUMAN FAST-1 GENE

Atty. Docket No.: 001107.00087

Group Art Unit: 1636

Examiner: TBA

Confirmation No.: 5642

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STATUS REQUEST FOR WITHDRAW HOLDING OF ABANDONMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

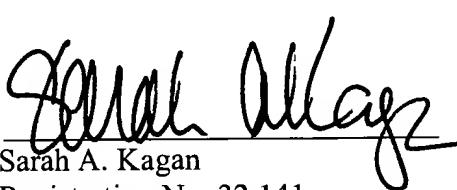
Sir:

In response to the Notice of Abandonment mailed July 7, 2003, Applicants filed a Request to Withdraw Holding of Abandonment on August 19, 2003. To date, Applicants have not received any communication from the Patent Office, whether the Request to Withdraw Abandonment has been granted. A copy of the Request for Withdraw Holding of Abandonment and date stamped receipt postcard are attached.

It is believed that no fee is required with this paper, however, the Office may consider this a Petition to Revive and may charge any required fee to Deposit Account 19-0733. If there are any questions, please feel free to contact the undersigned at 202-824-3000.

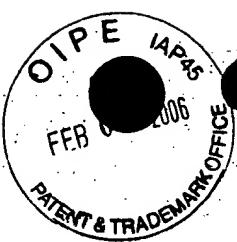
Respectfully submitted,

By:


Sarah A. Kagan
Registration No. 32,141

Dated: February 6, 2006

Banner & Witcoff, Ltd.
Customer No. 22907



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PATENT DESIGN B&W Ref. 1107.00087 Date 8/19/03

HAND CARRY Group/Section _____

Serial/Patent No. 09/776,696

Inventor Zhou et al.

Title Human Fast-1 Gene

Bldg _____ Rm _____

Atty/Sec SAK/hlm

Client THTU

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- total pp Spec., including : # of Claims _____
(# of independent claims _____); Abstract
- Drawings : Formal Informal
of distinct sheets _____ : Figs. _____
- Declaration/Power of Attorney : Executed Unexecuted
- Assignment w/PTO Cover Sheet
- IDS w/PTO 1449 References w/Fee
- Preliminary Amendment
- Priority Claim (Foreign or U.S. Provisional. B&W # _____)

- Sequence Listing : Diskette Paper
- Amendment Response : OA did _____
- Petition for Extension of Time until _____
- CPA RCE w/Ext of Time : OA did _____
- Request for Approval of Drawing Changes
- Notice of Appeal & Fee
- Brief : Appeal & Fee Reply
- Request for Oral Hearing
- Issue Fee Advance Patent Copies (# ordered _____)
Notice of Allowance did _____
- Amendment under 37 CFR 1.312
- Request for Certificate of Correction
- Transmittal Fee Transmittal w/Auth. to Charge Deposit Acc.
- Certificate of Mailing
- Check # _____ for \$ _____
- Reg. to Withdraw Holding of _____
 Abandonment with copies of : _____
- Response to Missing Parts; Fee _____
- Transmittal; Sequence Listing _____

Amendment: Figures; Receipt post card

PATENT DESIGN B&W Ref. 1107.00087 Date 8/19/03

HAND CARRY Group/Section _____

Serial/Patent No. 09/776,696

Inventor Zhou et al.

Title Human Fast-1 Gene

Bldg _____ Rm _____

Atty/Sec SAK/hlm

Client THTU

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- total pp Spec., including : # of Claims _____
(# of independent claims _____); Abstract
- Drawings : Formal Informal
of distinct sheets _____ : Figs. _____
- Declaration/Power of Attorney : Executed Unexecuted
- Assignment w/PTO Cover Sheet
- IDS w/PTO 1449 References w/Fee
- Preliminary Amendment
- Priority Claim (Foreign or U.S. Provisional. B&W # _____)

- Sequence Listing : Diskette Paper
- Amendment Response : OA did _____
- Petition for Extension of Time until _____
- CPA RCE w/Ext of Time : OA did _____
- Request for Approval of Drawing Changes
- Notice of Appeal & Fee
- Brief : Appeal & Fee Reply
- Request for Oral Hearing
- Issue Fee Advance Patent Copies (# ordered _____)
Notice of Allowance did _____
- Amendment under 37 CFR 1.312
- Request for Certificate of Correction
- Transmittal Fee Transmittal w/Auth. to Charge Deposit Acc.
- Certificate of Mailing
- Check # _____ for \$ _____

O I P E
JUL 19 2003

TRADEMARK OFFICE

- Reg. to Withdraw Holding of _____
 Abandonment with copies of : _____
- Response to Missing Parts; Fee _____
- Transmittal; Sequence Listing _____

Amendment: Figures; Receipt post card

37



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Shibin ZHOU *et al.*

Serial No.: 09/776,696

Filed: February 6, 2001

For: HUMAN FAST-1 GENE

Atty. Docket No.: 001107.00087

Group Art Unit: 1636

Examiner: TBA

Confirmation No.: 5642

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

VIA FACSIMILE
703-308-7751 (OIPE)
703-308-6916 (Nancy Johnson, Petitions Attorney)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed July 7, 2003, Applicants respectfully request that the Commissioner withdraw the holding of abandonment because the application should not have been held abandoned. The Notice of Abandonment indicates that the basic filing fee and surcharge were not paid. Applicants, however, submitted authorizations for payment of these fees with their timely reply to the Notice to File Missing Parts. The fees were authorized in two places: (1) on page 1 of the Response; and (2) in the fee transmittal. A copy of the Response to Notice of Missing Parts including fee transmittal authorizing payment of filing fees, sequence listing, amendment with respect to sequence listing, figures, and date stamped receipt postcard is attached.

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Request to Withdraw Holding of Abandonment
U.S. Patent Application No. 09/776,696

PATENT

It is believed that no fee is required with this paper, however, the Office may consider this a Petition to Revive and may charge any required fee to Deposit Account 19-0733. If there are any questions, please feel free to contact the undersigned at 202-824-3000.

Respectfully submitted,

By: Sarah A. Kagan
Sarah A. Kagan
Registration No. 32,141

Dated: August 19, 2003

Banner & Witcoff, Ltd.
Customer No. 22907



0
FEB 2006
PATENT & TRADEMARK OFFICE
UNITED STATES

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/776,696	02/06/2001	Shibin Zhou	01107.00087

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

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CONFIRMATION NO. 5642

ABANDONMENT/TERMINATION
LETTER



OC000000010437283

Date Mailed: 07/07/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/05/2001.

- The reply received on 10/16/2001 was improper. The reply did not include:
 - The surcharge under 37 CFR 1.16(l) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
 - The full amount of the basic filing fee under 37 CFR 1.16(a), (f), (g), or (k). *Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid.*

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Karen Smith

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:) Group Art Unit: 1636
Shibin ZHOU)) BOX: MISSING PARTS
Serial No.: 09/776,696)) Docket No. 01107.00087
Filed: February 6, 2001))
For: **HUMAN FAST-1 GENE**))

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

Assistant Commissioner of Patents
Washington, D.C. 20231
Attn: Box Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts Of Non-provisional Application, dated September 5, 2001, the Applicant is hereby submitting a Request to Use Computer Readable Form and corrected drawings.

The Commissioner is authorized to charge \$750.00 to Deposit Account No. 19-0733, to cover the following:

\$370.00 - Basic Filing Fee;

\$ 63.00 - 7 total claims over 20;

\$252.00 - 6 independent claims over 3;

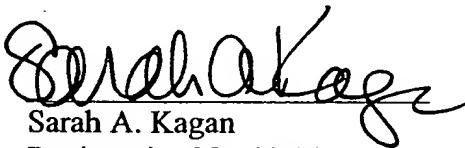
\$ 65.00 - Surcharge for late declaration.

It is believed that these fees as calculated are correct. However, if an additional fee is required, please charge Deposit Account No. 19-0733.

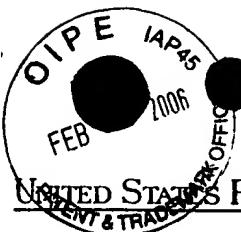
Respectfully submitted,

October 16, 2001

By:


Sarah A. Kagan
Registration No. 32,141

Banner & Witcoff, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/776,696	02/06/2001	Shibin Zhou	01107.00087

22907
 BANNER & WITCOFF
 1001 G STREET NW
 SUITE 1100
 WASHINGTON, DC 20001

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CONFIRMATION NO. 5642

FORMALITIES LETTER



OC00000006513112

Date Mailed: 09/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$303.
 - \$63 for 7 total claims over 20.
 - \$240 for 6 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 723.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

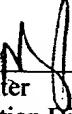
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the

application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complete if Known

Application Number 09/776,696

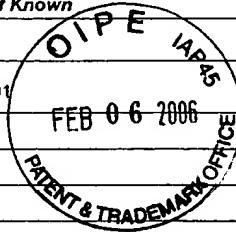
Filing Date February 6, 2001

First Named Inventor Shabin ZHOU

Examiner Name TBA

Group / Art Unit 1636

Attorney Docket No. 001107.00087



METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number
19-0733

Deposit Account Name
Banner & Witcoff

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid

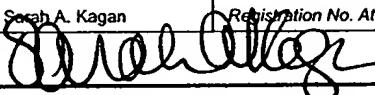
SUBTOTAL (3)

(\$ 65.00)

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Sarah A. Kagan	Registration No. Attorney/Agent)	32,141	Telephone	202-508-9100
Signature				Date	October 16, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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2000



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shibin ZHOU) Group Art Unit: 1636
Serial No. 09/776,696) Examiner: TBA
Filed: February 6, 2001) Attorney Docket No. 01107.00087
For: HUMAN FAST-1 GENE)

AMENDMENT AND RESPONSE TO NOTICE TO
COMPLY WITH SEQUENCE LISTING RULES

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

When filing the subject application on 6 February 2001, Applicants submitted a substitute sequence listing in paper form and asked that the computer readable form of the parent application be used for examination. A copy of these papers are attached.

IN THE SPECIFICATION:

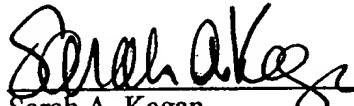
Delete pages 29-41 and add the new sequence listing to the end of the application. Renumber pages 42-48 as pages 29-35.

STATEMENT:

The new sequence listing adds no new matter.

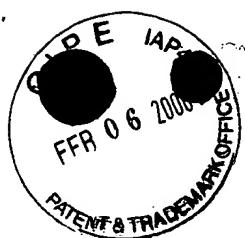
Respectfully submitted,

Date: October 16, 2001

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Sarah A. Kagan
Registration No. 32,141

BANNER & WITCOFF, LTD.
1001 G Street, N.W., Eleventh Floor
Washington, D.C. 20001-4597
(202) 508-9100

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Shibin Zhou *et al.*) Prior Group Art Unit: 1636
Serial No. Unasigned) Prior Examiner: T. McKelvey
Filed: February 7, 2001) Atty. Dkt. No. 01107.00087
For: HUMAN FAST-1 GENE

SEQUENCE RULES COMPLIANCE

Assistant Commissioner of Patents & Trademarks
Washington, D.C. 20231

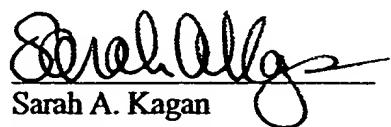
Dear Sir:

A paper copy of a substitute sequence listing submitted in parent application U.S. Serial No. 09/113,, 309 is submitted herewith. Please use the computer readable form submitted in the parent application on 18 November 1999 for examination of the subject application.

The content of the two forms, paper and CRF, are believed to be identical.

Respectfully submitted,

02-06-01
Date

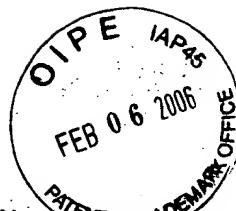

Sarah A. Kagan

Reg. No. 32,141

BANNER & WITCOFF, LTD.
1001 G Street, N.W. - Eleventh Floor
Washington, D.C. 20001-4597
Telephone: 202/508-9100

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COPY



PATENT DESIGN B&W # 001107,000,871 Date 10-16-01
 HAND CARRY Group/Section 14 Bldg. SAK/mdd
 Serial/Patent No. 09/776,696 Atty/Sec. SAK/mdd Rm. 1400
 Inventor 24046 Client SAK/mdd
 Title Human Fast-1 Gear

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

total pp Spec., including : # of Claims _____
 (# of independent claims _____); Abstract
 Drawings : Formal Informal
 # of distinct sheets 4 : Figs. 1-4
 Declaration/Power of Attorney : Executed Unexecuted
 Assignment w/PTO Cover Sheet
 IDS w/PTO 1449 References w/Fee
 Preliminary Amendment
 Priority Claim (Foreign or U.S. Provisional. B&W # 1400)

 Country _____ Appl. # _____ Date _____
 w/Foreign Priority Document(s)
 Application : CIP Continuation Divisional
 Parent Ser. No. _____ B&W# _____
 U.S. Provisional _____ pp Spec/Claims; Cover Sheet
 Response to Missing Parts/Requirements dtd _____
 Response to Notice to File Corrected Appln. Papers dtd _____
 Request for Expedited Foreign Filing License
 Request for Corrected : Filing Receipt Assignment
 Response to Restriction/Election Requirement

Sequence Listing : Diskette Paper
 Amendment Response : OA dtd _____
 Petition for Extension of Time until _____
 CPA RCE w/Ext of Time : OA dtd _____
 Request for Approval of Drawing Changes
 Notice of Appeal & Fee
 Brief : Appeal & Fee Reply
 Request for Oral Hearing
 Issue Fee Advance Patent Copies (# ordered _____)
 Notice of Allowance dtd _____
 Amendment under 37 CFR 1.312
 Request for Certificate of Correction
 Transmittal Fee Transmittal w/Auth. to Charge Deposit Acct.
 Certificate of Mailing
 Check # _____ for \$ _____

B&W Rev. 501

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